

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America
v.

Edys Renan MEMBRANO DIAZ

Case No. 24-30414

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 17, 2022 in the county of Oakland in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
Title 8, United States Code, Section 1326(a)	Unlawful Re-Entry Following Removal

This criminal complaint is based on these facts:

On or about July 17, 2022, in the Eastern District of Michigan, Southern Division, Edys Renan MEMBRANO DIAZ, a citizen and national of Honduras, was found in the United States after having been denied admission, excluded, deported, and removed therefrom on or about July 14, 2021, and not having received the express consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security, to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).

☐ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: September 27, 2024

City and state: Detroit, MI


Complainant's signature
Monica Alaez, Deportation Officer, ICE
Printed name and title


Judge's signature
Elizabeth A. Stafford U.S. Magistrate Judge
Printed name and title

AFFIDAVIT

I, Monica Alaez, declare the following under penalty of perjury:

1. I am a Deportation Officer employed with Immigration and Customs Enforcement (ICE) of the United States Department of Homeland Security, having served with ICE since March 2009. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers and record checks of law enforcement databases. I have also reviewed the immigration records and system automated data relating to Edys Renan MEMBRANO DIAZ, which reveal the following:
2. Edys Renan MEMBRANO DIAZ is a twenty-nine-year-old citizen and native of Honduras who last entered the United States on an unknown date, at an unknown place, without inspection by the U.S. Department of Homeland Security. This affidavit is submitted for the limited purpose of establishing probable cause of Unlawful Reentry to the United States, a violation of 8 U.S.C. § 1326(a).
3. On or about February 6, 2019, United States Border Patrol at or near El Centro, California apprehended MEMBRANO DIAZ. On February 9, 2019, US Border Patrol served him a Notice and Order of Expedited Removal. On March 6, 2019, ICE ERO removed MEMBRANO DIAZ to Honduras from the United States via ICE Air Ops from Phoenix, Arizona.
4. On or about August 3, 2020, US Border Patrol, at or near Chula Vista, California apprehended MEMBRANO DIAZ and returned him to Mexico the same day under Title 42 authority.
5. On or about October 7, 2020, US Border Patrol, at or near San Diego, California apprehended MEMBRANO DIAZ and returned him to Mexico the same day under Title 42 authority.
6. On or about February 14, 2021, US Border Patrol, at or near Chula Vista, California apprehended MEMBRANO DIAZ and returned him to Mexico the same day under Title 42 authority.

7. On or about June 4, 2021, US Border Patrol, at or near El Paso, Texas apprehended MEMBRANO DIAZ and returned him to Mexico the same day under Title 42 authority.
8. On or about July 14, 2021, US Border Patrol, at or near Santa Teresa, New Mexico apprehended MEMBRANO DIAZ and returned him to Mexico the same day under Title 42 authority.
9. On or about July 17, 2022, ICE ERO placed a detainer on MEMBRANO DIAZ at Southfield Police Department, in Michigan after being arrested for Criminal Sexual Conduct 3rd and 4th Degree. On October 12, 2022, the 6th Circuit Court in Pontiac, Michigan, convicted MEMBRANO DIAZ of two counts of Criminal Sexual Conduct 3rd Degree and sentenced him to 6 to 15 years in prison. On the same day the 6th Circuit Court convicted MEMBRANO DIAZ of Criminal Sexual Conduct 4th Degree and sentenced him to 1 to 2 years in prison.
10. On or about July 17, 2022, ICE searched MEMBRANO DIAZ's fingerprints in government electronic systems resulting in a positive match for Edys Renan MEMBRANO DIAZ, DOB XX/XX/1996, AXXX XXX 346, a previously removed alien.
11. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.
12. ICE officers reviewed immigration file records and Department of Homeland Security electronic records, indicating that MEMBRANO DIAZ, AXXX XXX 346, subsequent to his removal on July 14, 2021, did not obtain the express consent of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States.
13. Based on the above information, I believe there is probable cause to conclude that Edys Renan MEMBRANO DIAZ, is an alien who was found in or

reentered the United States after deportation or removal, without the express permission from the Attorney General of the United States or from the Secretary of the Department of Homeland Security to reapply for admission to the United States, in violation of Title 8, United States Code, Section 1326(a).



Monica Alaez, Deportation Officer
Immigration and Customs Enforcement

Subscribed and sworn to before me and
signed in my presence and/or by reliable
electronic means.



Honorable Elizabeth A. Stafford
United States Magistrate Judge